

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KATRINA MACKLEY, as next friend for E.M.,
a minor,

Case No. 1:24-cv-00076-RJJ-SJB

Plaintiff,

Hon. Robert J. Jonker

v.

Mag. Sally J. Berens

MASON PUBLIC SCHOOL DISTRICT; LANCE
DELBRIDGE; NICHOLAS TOODZIO; BARB
BYRUM and BRAD DELANEY, individually,

Defendants.

**DEFENDANTS BRYUM AND DELANEY'S
RULE 12(b)(6) MOTION TO DISMISS THE "FIRST" AMENDED COMPLAINT**

Defendants Barb Byrum and Brad Delaney (Defendants) hereby move, pursuant to Federal Rule of Civil Procedure 12(b)(6) and for the reasons set forth in their accompanying brief, for dismissal of Counts III, IV and V of the First Amended Complaint as against them with prejudice. Counsel for Defendants sought Plaintiff's concurrence in this motion pursuant to Local Rule 7.1(d)(i). Plaintiff intends to oppose this motion.

Date: March 1, 2024

By: _____ s/Uri Abt _____

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